

JOURNAL OF THE HOUSE.

Wednesday, January 26, 2005.

Met at half past one o'clock P.M. with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

God, Our Creator, at the beginning of this new legislative year, we face the ordinary day to day issues of providing responsive and orderly government for people and the new challenges of this new age and changing times. Your assistance and guidance enables us to meet and address the needs and reasonable expectations of people. Grant us the patience to be good listeners, to be open to new ideas and suggestions and to evaluate accurately legislative proposals and the relevant data. Inspire us as leaders and citizens to work together in pursuing those common goals which are based on traditional human and spiritual values and principles. Inspire us to recognize the importance of each individual person and to utilize the values and gifts of all for the well-being of the one human family and our communities.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Guest of the House.

Renee
Orcione.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced Renee Orcione, the ten year old daughter of Diane Dockery, an employee of the Speaker's Office. She was the guest of the Speaker.

Messages from the Governor.

General
Appropriations
Bill.

A message from His Excellency the Governor submitting the annual budget of the Commonwealth for the fiscal year beginning July 1, 2005 (House, No. 1) was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 30, with the accompanying schedules, to the committee on Ways and Means.

Supplemental
appropriations.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2005 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 20) was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

WEDNESDAY, JANUARY 26, 2005.

Statement Concerning Representative Speliotis of Danvers.

A statement of Mr. Rogers of Norwood concerning Mr. Speliotis of Danvers was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Speliotis of Danvers, will not be present in the House Chamber for today's sitting due his attending the funeral of his wife's cousin, former New Jersey State Police Lieutenant John Connolly in Parlin, New Jersey. Any roll calls that he may miss today is due entirely to the reason stated.

Statement
concerning
Representative
Speliotis of
Danvers.

Papers from the Senate.

A Bill relative to stalking awareness month (Senate, No. 19) (on a petition), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mr. O'Flaherty of Chelsea, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Hynes of Marshfield, the bill was read a third time; and it was passed to be engrossed, in concurrence.

Stalking
awareness
month.

Reports of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws), received in the Office of the Clerk on January 6, 2005, relative to inspections of certain correctional facilities, severally were placed in the Addenda for the 2003-2004 session as follows:

Correctional
facilities,
inspection
reports.

Of the Bay State Correctional Center, in the town of Norfolk;

Of the Bridgewater Correctional Complex Kitchen, in the town of Bridgewater;

Of the Bristol County Jail and House of Correction, in the town of Dartmouth;

Of the Dedham Alternative Center, in the town of Dedham;

Of the Massachusetts Alcohol and Substance Abuse Center, in the town of Bridgewater;

Of the Norfolk County Correctional Center, in the town of Dedham; and

Of the Pondville Correctional Center, in the town of Norfolk;

Severally were spread upon the records of the House; and returned to the Senate.

A petition of Robert E. Travaglini, Brian P. Lees, Frederick E. Berry, Stephen M. Brewer, Salvatore F. DiMasi, A. Stephen Tobin, Bradley H. Jones, Jr., and George N. Peterson, Jr., for legislation relative to the compensation of members of the General Court, came from the Senate referred, under suspension of Joint Rule 12, to the committees on Rules of the two branches, acting concurrently.

General
Court,
compensation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 21) was referred, in concurrence, to the committees on Rules of the two branches, acting concurrently.

*Orders of the Day.*Joint
Rules.

The House Order relative to the adoption of permanent joint rules for the years 2005 and 2006 (House, No. 3005) was considered.

Pending the question on adoption of the order, Ms. Walz of Boston and other members of the House moved that it be amended in proposed Joint Rule 12, in the second paragraph, by striking out the words "first Wednesday of December preceding" and inserting in place thereof the words "second Wednesday of January of"; and the amendment was adopted.

The order (House, No. 3005, amended) then also was adopted. Sent to the Senate for concurrence.

House
Rules.

The House Order relative to the adoption of permanent rules of the House of Representatives for the years 2005 and 2006 (House, No. 2005) was considered.

Pending the question on adoption of the order, Mr. Jones of North Reading and other members of the House moved that it be amended, in proposed Rule 52, in line 2, by striking out the words "twenty of the members present" and inserting in place thereof the words "ten percent of all the members elected"; and the amendment was adopted.

Mr. Tobin of Quincy then moved that the order be amended, in proposed Rule 23A, by inserting after the word "Speaker" the words "Speaker *pro tempore*"; and the amendment was adopted.

After debate (Mr. Rogers of Norwood being in the Chair) the order (House, No. 2005, amended) was adopted.

*Papers from the Senate.*Joint
Rules.

The House Order relative to the adoption of permanent joint rules for the years 2005 and 2006 (House, No. 3005, amended) came from the Senate passed to be engrossed, in concurrence, with an amendment in proposed Rule 1, in line 7, by striking out the the words "A committee on Elementary and Secondary Education" and inserting in place thereof the words "A committee on Education".

Under suspension of Rule 35, on motion of Mr. Verga of Gloucester, the amendment was considered forthwith; and it was adopted, in concurrence.

General
Court,
compensation.

A Bill relative to compensation of members of the General Court (Senate, No. 21, amended by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a compensation schedule for certain members of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a petition), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mr. Rush of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Atsalis of Barnstable, the bill was read a third time.

On the question on passing the bill to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 1 in Supplement.]

Therefore the bill (Senate, No. 21) was passed to be engrossed, in concurrence.

Bill passed
to be
engrossed,
yea and nay
No. 1.*Emergency Measure.*

The engrossed Bill relative to compensation of members of the General Court (see Senate, No. 21, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

General
Court,
compensation.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 28 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.*Engrossed Bill.*

The engrossed Bill designating stalking awareness month (see Senate, No. 19) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.*Order.*

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At ten minutes before four o'clock P.M., on motion of Mr. Walsh of Lynn (Mr. Rogers of Norwood being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.